REMARKS

Claims 1-20 are pending in the application.

Claims 1-20 have been rejected.

Claims 1, 4, 7 and 14 have been amended as set forth herein.

Claims 1-20 remain pending in this application.

Reconsideration of the claims is respectfully requested.

I. OBJECTION TO SPECIFICATION

The Office objected to the Specification and suggested that the attorney docket numbers should be replaced with the referenced application's serial number. The Applicants have amended the Specification as shown herein.

Accordingly, the Applicants respectfully request that this objection be withdrawn.

II. CLAIM REJECTION UNDER 35 U.S.C. §103

Claims 1-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,563,837 to *Krishna, et al.*, hereinafter "*Krishna*". This rejection is respectfully traversed. The Applicants also traverse the Office's Response to the Applicants' previous arguments on pages 2 and 3 of the March 6, 2007 Office Action.

In *ex parte* examination of patent applications, the Patent Office bears the burden of establishing a prima facie case of obviousness. MPEP §2142, p. 2100-125 (8th ed., rev. 5, August 2006). Absent such a prima facie case, the applicant is under no obligation to produce evidence of nonobviousness. *Id.* To establish a *prima facie* case of obviousness, three basic criteria must be

met: *Id.* First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. *Id.* Second, there must be a reasonable expectation of success. *Id.* Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. *Id.* The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *Id.*

Claim 1 of the present application currently requires:

> For use in a fixed-size packet switch, a switch fabric comprising:
> *N input buffers to receive incoming fixed-size data packets from an input port* at a first data rate and to output said fixed-size data packets at a second data rate equal to at least twice said first data rate, *wherein said N input buffers are internal to said switch fabric and are external to said input port*;
> *N output buffers to receive fixed-size data packets* at said second data rate and to *output-said fixed-size data packets to an output port at said first data rate, wherein said N output buffers are internal to said switch fabric and are external to said output port*; and
> *a bufferless, non-blocking interconnecting network to receive from said N input buffers said fixed-size data packets at said second data rate and to transfer-said fixed-size data packets to said N output buffers at said second data rate.* (emphasis added).

Accordingly, the Applicants respectfully request that the Office withdraw the §103 rejection with respect to these claims.

Krishna fails to teach or disclose, for example, *N input buffers that are internal to said switch fabric and are external to said input port. Krishna* also fails to teach or disclose, for example, *N output buffers that are internal to the switch fabric and are external to said output port*, as currently required by Claim 1. In addition, *Krishna* fails to teach or disclose a *bufferless, non-blocking interconnection network*, as currently required by Claim 1.

At the very most, *Krishna* discloses combined *input-output buffered network device* that uses a non-blocking switch fabric, such as a cross-bar, operating at a speed-up of two. (*Krishna*, column 3, lines 60-67). Each input port 50, 51 and 52 contains input buffers "a" through "d" and each output port 59, 60 and 61 contains output buffers "a" through "d". (*Id.* at column 7, lines 5-14 and 49-53; and Figures 1-17). The *Krishna* system teaches having cells that are placed into the next available input buffer "a", "b", "c" or "d" in the virtual output queue 56, 57 or 58 within the input port 50, 51 or 52. (*Id.* at column 7, lines 49-53; and Figures 1-17).

Krishna therefore fails to teach *bufferless, non-blocking interconnection network* where the N input buffers are *external* to the input port and the N output buffers are *external* to said output port, as required by Claim 1 and its dependents, Claims 2 and 3. Similar arguments are true for Claim 4 (and its dependents, Claims 5 and 6), Claim 7 (and its dependents, Claims 8-13) and Claim 14 (and its dependents Claims 15-20).

Moreover, there is no suggestion or motivation within *Krishna* to prompt one of ordinary skill to selectively combine discrete elements from *Krishna* and then *seek out* still others as required by the claims of the present application.

Accordingly, Applicants respectfully request favorable reconsideration and the withdrawal of the §103 rejection.

CONCLUSION

As a result of the foregoing, the Applicants assert that the remaining claims in the Application are in condition for allowance, and respectfully requests that this Application be passed to issue.

If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicant respectfully invite the Examiner to contact the undersigned at the telephone number indicated below or at ***wmunck@munckbutrus.com***.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

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